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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,528	10/16/2003	A. Anthony East	A10019.0025.7	5223
26158 7590 05/31/2007 WOMBLE CARLYLE SANDRIDGE & RICE, PLLC ATTN: PATENT DOCKETING 32ND FLOOR P.O. BOX 7037 ATLANTA, GA 30357-0037			EXAMINER GALL, LLOYD A	
			ART UNIT 3676	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/687,528

Applicant(s)

EAST ET AL.

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-15, 17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 8-15, 17 and 19 is/are allowed.
- 6) ☒ Claim(s) 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

In response the applicant's amendment of March 8, 2007, the rejections under 35 USC 112, first paragraph and the prior art rejections of claims 1-6, 8-15, 17 and 19 are withdrawn.

Claim 21 is objected to because of the following informalities: Claim 21 does not further limit claim 20, that is, claim 21 repeats claim 20, lines 2-4. Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kajuch (612) in view of Donovan (944).

It is first noted that a garage door is not being positively claimed, and that the door of Kajuch is capable of being mounted (such as on the side) of a garage, as is well known. As seen in fig. 3 and disclosed in column 2, lines 60-65 and column 3, lines 58-65, Kajuch teaches that it is well known to provide an inside locking member 38 with an inside handle 36, which is opposite to the key cylinder 24 on outside handle 20 along the spindle 27. A conventional yoke is capable of actuating the latch 26. The locking button 38 locks/unlocks the key cylinder as set forth in column 2, line 63, such that the inside lock 38 and outside lock 24 are operable to selectively permit and prevent

Art Unit: 3676

rotation of the spindle by manipulation of the outside end of the spindle. Kajuch also teaches an inside escutcheon 10 and an outside escutcheon 22. The inside escutcheon has a raised central portion as seen at the bottom portion of fig. 1 and a recessed outer portion on the inside/right side of fig. 1, wherein clearance is provided for the yoke which actuates the latch 26. Donovan teaches a yoke 92 for selective attachment to first and second slidable lock bars 56. The yoke is offset from the inside escutcheon 98, and it is noted that the yoke of claim 20 is not claimed as offset with respect to anything in particular. It would have been obvious to modify the lock of Kajuch such that it includes a yoke capable of connection to first and second slidable lock bars, in view of the teaching of Donovan, the motivation being to allow two lock bars to be used to optimize the security of the door lock of Kajuch.

Applicant's arguments with respect to claims 20-24 have been considered but are moot in view of the new ground(s) of rejection.


Claims 1-6, 8-15, 17 and 19 are allowed. Applicant should also note that provided the following amendments to claim 20 are made, claim 20 and the claims which depend therefrom would also be allowable: In claim 20, line 2, following "on the", insert "--inside end of the--". Also, in claim 20, line 2, following the second occurrence of "spindle", insert "--and adapted to be proximate an inside face of a garage door when mounted on a garage door and--".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

Art Unit: 3676

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lloyd A. Gall  
Primary Examiner  
Art Unit 3676

LG LG  
May 28, 2007